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From Inspector General of Police, Punjab, to the Secretary to Government Panjab, Civil Department, No. 128—3015, *dated 7th November* 1870.

I have the honor to forward, for the orders of Government, a copy of the correspondence noted in the margin, regarding the duty of the British Police to co-operate with the Thaggi officers employed in the Alwar State.

No. 194, dated 10th October 1870, and enclosures from Deputy Inspector General of Police Ambala Circle.

2. I submit a translation of the vernacular instructions issued to the Gurgáon Police for their guidance in complying with demands for assistance made by the Thaggi Department. It appears to me that these orders are tantamount to a direction that the British Police, on the requisition of a Thaggi Jamadár, should proceed into Alwar and arrest by force of arms any men whom the Thaggi official may indicate.

3. I am anxious to aid to the utmost of my power the operations of the Thaggi Department, but I have grave doubts both as to the advisability and legality of the orders above alluded to. Their natural effect will be to induce collisions between our police and the subjects or officials of Foreign States.

4. Section XXII of Act V of 1861 seems to limit the ordinary jurisdiction of policemen to the territory comprised in the General Police District, and this jurisdiction is only enlarged, by Section 141 of the Code of Criminal Procedure, in the case of pursuits in quest of persons accused of offences cognizable by the Police. With regard to our authority in foreign territory, the Chief Court, in the case of the Crown *v.* Tokha (5 Record, Criminal Judgment 9) has decided that the extradition rules of the Cashmere territory, and not Act VII of 1854, prescribe the procedure to be followed in all extradition cases connected with States conterminous with the Panjab. These rules are most explicit, that British Police Officers conducting pursuits may not act independently of the native local officers. Now the Thaggi officers are officers of the British Government. If, on the other hand, the cases in which our assistance is asked are not such as come under the extradition rules, we have no authority to interfere.

5. If it is considered desirable that the British Police should be employed in Native States to assist the Thaggi Department, legislative

enactment appears necessary. As the Council of the Governor General is only empowered, under Statutes 24 and 25 Victoria, Cap. 67, Section 22; 28 Victoria, Cap. 17, Section 1; and 32 and 33 Victoria, Cap. 98, Sections 1 and 2, to legislate for all servants of the Government of India and all British and native Indian subjects of Her Majesty within the dominions of Princes and States in India in alliance with Her Majesty, the required jurisdiction could not be conferred by an Indian enactment, and is seems very doubtful whether the matter would be considered of sufficient importance to be carried before Parliament.

From Deputy Inspector General of Police, Ambala Circle, to Inspector General of Police, Panjab, No. 194, dated 10th October 1870.

Forwards copies of English and vernacular correspondence regarding Police aid to Jamadárs of the Thaggi Department, which took place between the Commissioner of Dehli, Deputy Commissioner and District Superintendent of Gurgáon, also of this office No. 958, dated 26th ultimo, to address of Mr. R. C. Jones, and that officer's reply, for his information.

Copy of letter No. 958, dated 26th September 1870, from Deputy Inspector General of Police, Ambala Circle, to District Superintendent of Police, Gurgáon.

With reference to his Vernacular Rubkár No. 9951 dated 16th instant, requests he will send for the Deputy Inspector General's perusal a copy of the correspondence on the subject of Police aid to Jamadárs of the Thaggi Department, in English.

Copy of letter No. 306, dated 28th September 1870, from District Superintendent of Police, Gurgáon, to Officiating Deputy Inspector General of Police, Ambala Circle.

In reply to his No. 958 of 26th instant, begs to forward copy of English correspondence regarding Police aid to Jamadárs of the Thaggi Department.

Order of Mr. Jones, District Superintendent of Police, Gurgáon, dated 16th September 1870.

In accordance with letter No. 409, dated 5th September 1870, from Commissioner Dehli, to Deputy Commissioner Gurgáon, all Deputy Inspectors, whose jurisdiction borders on Native States, are informed that when any Jamadár of the Thaggi Department requires assistance for the capture of any criminal in a Native State, such assistance is to be given; and at the time of applying for assistance, all Constables off duty, armed with swords and muskets, with balled cartridge, are to proceed with the said Jamadár. A Non-Commissioned Officer, whether a Sergeant of the 1st or 2nd grade, should accompany them.

Copy of letter No. 409, dated 12th September 1870, from Commissioner of the Dehli Division, to the Deputy Commissioner of Gurgáon.

Assistance to Thaggi Department in capturing offenders in the State of Alwar, &c.

Replies to his No. 259, dated 10th instant, that he should comply with the request of the Commissioner of Thaggi. The more disorganized the Alwar State the stronger our Police force should be, and the stronger they are the less chance of armed resistance.

Copy of letter No. 714, dated 14th September 1870, from Deputy Commissioner Gurgáon, to District Superintendent of Police, Gurgáon.

On a requisition from the Thaggi Department that our Police Officers should accompany their men into Alwar and other Foreign States and assist in capturing offenders required by them, I addressed the Commissioner of the Division, as I did not consider it expedient for our Police to make any such arrests. I now annex a copy of the Commissioner's reply, and request the favor of your issuing the necessary orders to your Police Officers.

From Officiating Under-Secretary to Government Panjab, Civil Department, to Inspector General of Police, Panjab, No. 929½, dated 3rd July 1871.

With reference to your No. 128, dated the 7th November 1870, and reminder of the 28th ultimo, soliciting the orders of Government with

regard to the action of British Police in foreign territory, I am desired to forward for your information copy of a letter No. 1685, dated the 1st December 1870, to the Superintendent Thaggi Department, which contains the views of Government on the subject, together with copy of Superintendent Thaggi Department's reply, No. 63A, dated the 17th February 1871, to such letter.

Copy of a letter from Under-Secretary to Government Panjab, to the Superintendent Thaggi Department, No. 1685, dated 1st December 1870.

A reference was made to this Government by the Commissioner, Dehli, regarding a request made by the Assistant Superintendent Thaggi Department for the service of a Police Officer to accompany his men for the capture of criminals within the Alwar or other foreign territory.

2. With reference to this requisition, I am directed to forward for your information, copy of a letter on the subject by the Inspector General, Police, Panjab.

3. It appears to the Hon'ble the Lieutenant Governor inexpedient and irregular to permit British Police to enter foreign territory in pursuit of criminals without communication with the officials of the territory concerned. The rule followed in the States subject to the political control of the Panjab Government, is contained in Judicial Circular 138 of 1858, which directed that if the trails of heinous crime, committed in British territory, were pursued into foreign territory by officers of the British Police, they should inform the local officials of such foreign territory, and take steps for the apprehension of the delinquent through the local Police; but that British Police Officers were not to act independently of the local authorities of the State concerned.

4. This rule appears to the Lieutenant Governor to be both sufficient and appropriate, and it would seem as applicable to Alwar as to the States subject to the control of the Panjab Government. Should the authorities of the Alwar State fail to give reasonable assistance in the apprehension of criminals, the matter should be reported for the information of Government, but British Police should on no account effect arrests in foreign territories on their own authority, unless there are

special orders applicable to the Thaggi Department and its operations in Native States, of which the Panjab Government has no cognizance.

Copy of a letter from General Superintendent of Operations for the Suppression of Thaggi and Dacoity, to Secretary to Government Panjab, No. 63A., dated 17th February 1871.

With reference to the Under-Secretary's letter to my address, No. 1685, dated 1st December last, bringing to my notice that an Assistant of this Department had required a Police Officer of the Gurgáon District to accompany his detectives for the arrest of some criminals in the Alwar State, and communicating to me the objection of the Lieutenant Governor to such a procedure, except under certain special rules on the subject, I have the honor to report that, having called upon Captain Powlett, the Assistant General Superintendent indicated, now Officiating Political Agent for the Eastern Rajputána States, for an explanation of the matter complaned of, that Officer has stated that, having no proper recollection of having given the orders alleged, he was unable to submit the full explanation required, without his being furnished with a copy of them.

2. The course complained of is directly opposed to the rules of this Department, which require that no pursuit in native territory shall be made except with the full co-operation of the local authorities of the State into which it is carried. These and kindred instructions were fully detailed in a report from myself in the Foreign Department of the operations of the Thaggi and Dacoity Department in Native States, No. 199, dated 21st April 1866, and as I believe a copy thereof was furnished to the Government of the Panjab, I would beg you to solicit the Lieutenant Governor's attention to the following passages of it, *viz.* paras. 23, 24, latter part of para. 29, paras. 31, 177, 178, 179 (particularly), latter part of para. 190 and para. 197, (Khoj rules, and rules regarding the pursuit, surrender, and trial of criminals*). His Honor will perceive from them that our prescribed mode of procedure is al-

*NOTE.—There are references in some of these paragraphs to a previous report on the some subject, No. 247, dated 21st April 1864, a copy of that report was furnished from this office to the Inspector General of Police, Panjab, and it might also to referred to.

together in accord with the course pointed out in the Under-Secretary's letter under reply, and with the spirit of what was submitted in the enclosure from the Inspector-General of Police, Panjab.

3. Any other course pursued by Captain Powlett on the occasion under enquiry, would have been independent of his subordination to this office. A copy of the correspondence with him on the subject is herewith submitted.

(1.) Colonel Hervey, General Superintendent, to Captain Powlett, Assistant General Superintendent Upper Rajputana, No. 750, dated 7th December 1871.

(2.) Colonel Hervey, General Superintendent, to Captain Powlett, Officiating Political Agent Bhartpur, No. 13, dated 9th January 1871.

(3.) Captain Powlett, Officiating Political Agent, East Rajputana States, to Colonel Hervey, General Superintendent, No. 34, dated 4th February 1871.